



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 2, 2013**

On this 2nd day of April 2013 at 5:30 p.m., the City Commission of the City of Weslaco, Texas convened in Regular Session at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

Mayor	Miguel D. Wise
Mayor Pro-Tem	J.F. “Johnny” Cuellar
Commissioner	Olga M. Noriega
Commissioner	Gerardo “Jerry” Tafolla
Commissioner	Lupe V. Rivera
Commissioner	Joe A. Martinez
City Manager	Leonardo Olivares
City Secretary	Elizabeth M. Walker
City Attorney	Ramon Vela

Also present: Rey Garcia, IT Director; Bret Mann, Finance Director; David Arce, Parks & Recreation Director; Erasmo Lozano, Public Facilities Director; Police Chief Michael Kelly; Fire Chief Santiago Cuellar; Arnold Becho, Library Director; George Garrett, Airport Director; Mardoqueo Hinojosa, City Engineer; and several other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Wise called the meeting to order and certified the public notice of the meeting as properly posted Thursday, March 28, 2013.

B. Invocation.

Pastor David McCann from the First Presbyterian Church delivered the invocation.

C. Pledge of Allegiance.

Mayor Wise recited the Pledge of Allegiance and the Texas Flag.

D. Roll Call.

Elizabeth Walker, City Secretary, noting the absence of Commissioner Fox.

Commissioner Tafolla, seconded by Mayor Pro-Tem Cuellar, moved to take item IV. A. from its posted sequence for immediate consideration. The motion carried unanimously; Mayor Wise was present, but not voting.

IV. NEW BUSINESS

A. Discussion and consideration to approve Resolution 2013-46 honoring Eudocio R. Salinas†. Possible action. (Requested by Commissioners Tafolla and Rivera.) Attachment.

Commissioners Tafolla, Rivera, and Noriega expressed their appreciation for Mr. Salinas and extended their personal condolences to the family. Mayor Wise thanked Mr. Salinas for his legacy of service to the Weslaco community.

Commissioner Martinez, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, Resolution 2013-44 reads as follows:

RESOLUTION NO. 2013-46

A RESOLUTION OF THE CITY OF WESLACO WHICH GRIEVES THE PASSING AND HONORS THE LEGACY OF SELFLESS SERVICE TO COMMUNITY BY EUDOCIO R. SALINAS†

WHEREAS, Eudocio R. Salinas† was born in 1935 in Joya de Luna, San Luis Potosi, Mexico. He received merely a 2nd grade education but developed a strong work ethic originating from his humble beginnings. He immigrated to the United States in 1955 and worked as a migrant farmworker in Texas and California, where he was a proud member of the United Farm Workers union, picking cotton, strawberries, artichokes, melons, tomatoes, and many other crops; and

WHEREAS, In 1977, he settled with his family in Weslaco and continued working in the fields as a farm worker. In his later years, he was an active neighborhood leader dedicated to social justice. Mr. Salinas established the first Lincoln Park Neighborhood Watch group in Weslaco and became the group's first Block Captain. He organized Annual Neighborhood Night Out events to reduce crime, remove graffiti, improve traffic safety, and improve the overall appearance of the neighborhood. He also organized neighborhood Christmas parties and holiday toy drives to bring joy to local children and build community spirit. Under his leadership, Weslaco Crime Stoppers, Inc. awarded the Lincoln Park Neighborhood Watch group the "Crime Stopper of the Year" award for 2004; and

WHEREAS, Mr. Salinas was a member of a core group of Weslaco citizens called *Citizens in Action* who worked on successfully electing the Single Member District Proposition on May 12, 2007; and

WHEREAS, Mr. Salinas clearly demonstrated strong values through his love of family and service to his community for a greater good. His contributions to the City of Weslaco inspire future neighborhood and community leaders.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT as we grieve the passing of Eudocio R. Salinas† on March 15, 2013 with his wife Elisa T. Salinas, daughter Elisa S. Trevino, and three sons Alberto, Alfredo, and Abel Salinas, fourteen grandchildren, and four great grandchildren we honor his legacy of selfless service to this community.

PASSED AND APPROVED on this 2nd day of April 2013.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

Commissioner Martinez, seconded by Commissioner Rivera, moved to take item V. D. from its posted sequence for immediate consideration. The motion carried unanimously; Mayor Wise was present, but not voting.

V. REPORTS

- D. Presentation by the Hidalgo County Metropolitan Planning Organization (HCMPO) on Bicycle Safety/Safe Passing Awareness.

Ms. Maria Champine presented several public service announcements and requested support in publicizing the “safe passing” ordinance for bicycles.

II. CONSENT AGENDA

- A. Approval of the Minutes of the Regular Meeting of March 19, 2013. (Requested by City Secretary’s Office.) Attachment.
- B. Authorization to release a Request for Proposals to seek the best qualified, most advantageous service provider for Wall Remodeling and Repainting at the Mayor Joe V. Sánchez Public Library in an amount not to exceed \$24,000.00 and authorize a budget amendment as appropriate. (Commission authorized capital funding for this project December 18, 2012; Requested by the Library.) Attachment.
- C. Authorization to renew the Reading Is Fundamental (RIF) grant for FY 2012-2013, to accept funds upon award, to provide local matching funds not to exceed 10% of the total granted amount nor \$700 total annually, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Requested by the Library.) Attachment.
- D. Acceptance of the 2012 Racial Profiling Report compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.133 and authorize the Mayor to execute any related documents. (Requested by Police Department.) Attachment.
- E. Authorization of the utilization of Federal Equitable Sharing funds in an amount not to exceed \$3,358.05 to purchase one 2011 Toyota Sienna Wagon VIN# 5TDYK3DC6BS151914 awarded by the U.S. Department of Justice to the Weslaco Police Department and authorize a budget amendment as appropriate. (Requested by Police Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve all items of the consent agenda as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

III. APPOINTMENTS

- A. Discussion and consideration to accept the resignations of Carlos Guerra and Leonardo Olivares and approve Resolutions 2013-35, 2013-36, and 2013-43 to fill the terms of three members to the Weslaco Health Facilities Development Corporation. Possible action. (There was no action on this item March 19, 2013; Requested by Finance Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to accept the

resignations of Leonardo Olivares and Carlos Guerra and approved Resolution 2013-35 appointing Mr. Robert Cantu to the Weslaco Health Facilities Development Corporation. The motion carried unanimously; Mayor Wise was present, but not voting.

The City Manager clarified his resignation is contingent on the appointment of a replacement of a member and Joe Garza declined his appointment. Following a question by Commissioner Noriega, the City Manager stated that it is a five member board and currently there are three vacancies.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to accept the resignation of Joe Garza from the Weslaco Health Facilities Development Corporation. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, Resolution 2013-35 reads as follows:

RESOLUTION NO. 2013-35

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE WESLACO HEALTH FACILITIES DEVELOPMENT CORPORATION.

WHEREAS, in accordance with the Health Facilities Development Act, Article 1528j, Vernon's Texas Civil Statutes (the "Act") the City Commission (The Governing Body) hereby finds and determines that a health facilities development corporation be authorized and created, with such health facilities development corporation to be known as the "Weslaco Health Facilities Development Corporation"; and

WHEREAS, the purpose of this board is to promote new, expanded or improved health facilities in order to assist the maintenance of the public health and the public welfare.

WHEREAS, each member shall be appointed by the City Commission of the City of Weslaco; and the members of this board will hold office for a term of no more than six years; and

WHEREAS, the Weslaco Health Facilities Development Corporation members shall serve without compensation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Robert Cantu is appointed to serve an unexpired term on the Weslaco Health Facilities Development Corporation with a term to be assigned.

PASSED AND APPROVED on this 2nd day of April, 2013.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

- B. Discussion and consideration to approve Resolution 2013-44 and Resolution 2013-45 to fill the expired terms of two members to the Ambulance Advisory Board. Possible action. (Requested by Fire Department.) Attachment.

The City Manager stated Mr. McCaleb expressed an interest in continuing to serve and Dr. Heredia declined to continue to serve on the board.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to approve the item as presented and reappointed Mr. Fred McCaleb to the Ambulance Advisory Board. The motion carried unanimously; Mayor Wise was present, but not voting.

Commissioner Noriega moved to appoint Leticia Lopez to the Ambulance Advisory Board. Motion failed due to lack of a second.

For the record, Resolution 2013-44 reads as follows:

RESOLUTION NO. 2013-44

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Fred McCaleb is appointed to serve a two year term on the Ambulance Advisory Board and the term will begin on April 17, 2013 and expire on April 17, 2015.

PASSED AND APPROVED on this 2nd day of April 2013.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

IV. NEW BUSINESS

- B. Discussion and consideration to award contract bid No. 2012-13-04 Waterworks Collection and Distribution Materials to the best qualified, most advantageous bidder in the amount not to exceed \$205,204.53 for waterworks collection and distribution materials, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Requested by Public Utilities Department.) Attachment.

The City Manager stated four bids were received and ranked; staff recommends awarding the contract to Aquaworks Pipe and Supply.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to award contract bid No. 2012-13-04 Waterworks Collection and Distribution Materials to Aquaworks Pipe and Supply as the best qualified, most advantageous bidder in the amount not to exceed \$205,204.53 for waterworks collection and distribution materials, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents.

In response to a request from Commissioner Noriega, the City Manager identified the four responsive bidders as HD Supply Waterworks, McAllen; Aquaworks Pipe & Supply,

Brownsville; Ferguson Waterworks. Mission; and EMMSA, McAllen. The bids received by Ferguson and EMMSA were incomplete and therefore disqualified. The bid from HD Supply was for \$220,000.00 and the bid from Aquaworks was for \$205,000.00.

The motion carried unanimously; Mayor Wise was present, but not voting.

- C. Discussion and consideration to approve an Interlocal Cooperation Agreement with the County of Hidalgo, Texas for the reconstruction of Mile 6 West (Westgate Drive) through Mile 10 as a four lane facility and authorize the Mayor to execute any related documents. Possible action. (Requested by the Planning & Code Enforcement Department.) Attachment.

There was no action on this item.

- D. Discussion and consideration to approve an Interlocal Cooperation Agreement with the County of Hidalgo, Texas for participation within the Hidalgo County Library System (HCLS) for services and funding which allow for maintenance of accreditation, expansion of resources, and many other functions, in an amount not to exceed \$16,149.00 after deduction of Library Automation System costs, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Requested by Library Department.) Attachment.

The City Manager stated that this was a renewal of relationship with HCLS; the contract is about the same amount and will run through the end of this year.

Commissioner Rivera, seconded by Commissioner Tafolla, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- E. Discussion and consideration to award contract bid No. 2012-13-05 Aviation Fuel to the best qualified, most advantageous bidder, authorize a budget amendment as appropriate, and authorize the Mayor to execute three agreements, each for a one year term. Possible action. (Requested by Airport Department.) Attachment.

The City Manager stated two bids were received from Avfuel Corporation of Abilene and Eastern Aviation of North Carolina. The current vendor, BP, did not submit a bid this year. Staff recommends award to Avfuel.

Commissioner Noriega inquired about the difference in price compared with the previous vendor. Mr. Garrett stated that the difference is marginal: the City pays based on a bid rate over a twelve month period and any extra cost is passed onto the consumers.

In response to Mayor Wise, the City Attorney assured the City would not violate any government codes by awarding the contract in three agreements.

Commissioner Rivera, seconded by Commissioner Tafolla, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- F. Discussion and consideration to authorize the utilization of Federal Equitable Sharing

funds in an amount not to exceed \$25,000.00 to purchase equipment and authorize a budget amendment as appropriate. Possible action. (Commission authorized use of \$15,000.00 on June 19, 2012; Requested by Police Department.) Attachment.

The City Manager stated that the funds would be used for duty gear by the Police officers such as holsters, belts and other pouches; staff recommends approval.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

V. REPORTS

A. Report on Departmental Update, Upcoming Meetings, Appointments, and Feedback. Attachment.

The City Manager recognized the City Secretary's Office for its efforts in records management for the Police Department boxes. Mr. David Arce reported on recent park improvements which include new slides, new striping, new Little League fencing, and a new scoreboard. The City Manager stated that the City, STC and the Valley Nature Center are hosting Earth Day activities and a 5K will be facilitated on May 4 at the airport. Commissioner Rivera congratulated Mr. Arce on all his work at the parks.

Commissioner Noriega inquired about the baseball fields being closed. Mr. Arce stated that the baseball fields are closed due to safety reasons; during this drought the parks follow the water restriction schedule.

Mr. Arce added he has been working with Mr. Canales to secure funds for a dog park through a grant with Petsmart. Mayor Wise expressed concern about the transmission of diseases through pet waste; Commissioner Noriega expressed enthusiasm for pet owners.

Mayor Wise asked if there is anything that would prohibit the City from digging wells in order to irrigate the parks; Mayor Pro-Tem Cuellar stated that it is an issue of water quality. Mr. Mardoqueo Hinojosa stated staff has proposed a couple of projects to the Texas Water Development Board for both Harlon Block and City Park to utilize recycled water.

B. Report on Sponsored Projects. Attachment.

The City Manager referenced the report as attached.

C. Report on Litigation Update.

The City Manager stated that the City is at an all time low for lawsuits. City Attorney added that the City at one point had 160 active lawsuits and now there are only 14.

VI. PUBLIC COMMENTS

Mr. Samuel Cavazos asked the City to establish protocols, guidelines, timeframes, or

recourse for handling citizen complaints and that his concerns have been totally ignored by the City.

VII. ADJOURNMENT

With no other business before the Commission, at 6:32 p.m. Mayor Pro-Tem Cuellar, seconded by Commissioner Martinez, moved to adjourn the April 2, 2013 regular meeting. The motion carried unanimously; Mayor Wise was present, but not voting.

CITY OF WESLACO

MAYOR, Miguel D. Wise

ATTEST:

CITY SECRETARY, Elizabeth M. Walker

MAYOR PRO-TEM, J.F. “Johnny” Cuellar

(absent)

COMMISSIONER, David R. Fox

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez